

04-293

MAY 10 2003  
TECH CENTER 1600/2900  
PATENT

DOCKET NO.: TJU-2414



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Waldman, et al.

Confirmation No.: 2093

Application No.: 09/819,254

Group Art Unit: 1642

Filing Date: March 27, 2001

Examiner: Yu, Misook

For: Compositions And Methods For Identifying And Targeting Cancer Cells Of  
Alimentary Canal Origin

EXPRESS MAIL LABEL NO: EV160978162US  
DATE OF DEPOSIT: April 28, 2003

EV160978162US

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BOX AF  
Assistant Commissioner for Patents  
Washington DC 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **November 27, 2002** finally rejecting claims **25-32, 34, and 35** of the above-identified patent application.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

- ☒ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
  - ☐ a Small Business Concern
  - ☐ a Nonprofit Organization

2. EXTENSION OF TIME

04/30/2003 HBIZUNES 00000109 09819254

01 FC:2252  
02 FC:2401

205.00 OP  
160.00 OP

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 § CFR 1.17(a)(1)-(4)) for the total number of months checked below:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$0	\$110	\$
<input checked="" type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$205	\$205.00	\$410	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$465	\$0	\$930	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$725	\$0	\$1450	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$985	\$0	\$1970	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$0)	minus	(\$ )
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$160	\$160.00	\$320	\$
TOTAL FEE DUE		\$365.00		\$0

### 3. FEE PAYMENT

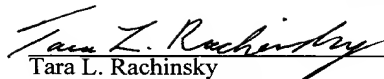
- ☒ A check in the amount of **\$365.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$       .00      . This sheet is attached in duplicate.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

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**PATENT**

Date: April 28, 2003

  
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